

Law Department

Mission. The mission of the Law Department is to facilitate client success through the provision of high quality legal services and guidance to the City Council, City Manager, and to the departments, boards, agencies, utilities and commissions of the City.

Overview. The Law Department has three main functions: to provide legal counsel for City Council and staff, to provide legal representation for the City and to prosecute cases in Municipal Court. The activities are accomplished through a staff of seventeen attorneys and eight support staff. The Department is financed entirely from the General Fund; however, the salary of an Attorney III is financed from the Financial Projects Fund. This position's primary responsibility is to assist with bond-related projects.

Staff is divided into two areas; prosecutorial staff and civil legal staff. Prosecutorial staff administers the Municipal Court dockets. In addition, office hours are maintained to assist "walk-in" citizens. Civil legal staff provides legal advice, drafts and reviews contracts, renders legal opinions, and conducts litigation for the City.



Attorneys in the Law Department issue over 530 legal opinions, respond to over 4,700 legal requests and review over 1,400 proposed contracts annually.

Finance and Operations. In conjunction with Municipal Court and Police, the Law Department received resources as part of the Public Safety Initiative. The budget provides for a continuation of four of these positions. Significant information management technology upgrades are also included in the budget, with funding for optical imaging access, as well as a new CD-ROM research tool.

One of the Law Department's core functions is to prosecute offenders in Municipal Court. This is accomplished through a staff of seven prosecutors, led

by a prosecution supervisor. These positions are supported by two clerical positions. Also included in the prosecution area is the diversion coordinator.

Based on the current docket structure, Law Department prosecutors represent the City on 11 Municipal Court dockets. In addition, prosecutors maintain office hours to assist citizens on a walk-in basis. Further, prosecutors engage in case review prior to the beginning of the dockets. Law staff also represents the City in Municipal Court appeals.

Selected Performance Measures			
	1998	1999	2000
Municipal Court Cases set for Trial	38,762	38,760	38,760
Hours / Municipal Court Appeals	3.367	4.030	4.030
Number of Municipal Court Appeals	196	200	200

In 1991, the City initiated a Domestic Violence Program that mandates incarceration for a minimum of four hours. A next day appearance allows offenders to enter into a diversion program that includes extensive counseling on violent behavior. The Diversion coordinator administers the program. In addition, the City added two prosecutorial staff since 1991 to focus on domestic violence cases.

The Law Department administers the City's diversion and deferred judgment programs. The programs are available for eligible first-time offenders. Eligible offenses include speeding, petit larceny, certain drug offenses, DUI, and domestic violence. In every diversion case, program fees and fines are assessed to finance all program costs.



Law staff processes over 2,500 diversion applications annually.

The budget includes funding for a new prosecution supervisor position. This position, added by City Council earlier in 1999, will serve as a working supervisor in the Prosecution Office. In addition, the prosecution supervisor position will provide legal counsel and opinions to the Police Department and will assist in reviewing cases.

Selected Performance Measures			
	1998	1999	2000
DUI diversions accepted	594	650	650
Petit theft diversions accepted	344	350	350
Speeding diversions accepted	674	650	650
Drug diversions accepted	126	300	300
DV diversions accepted	443	500	500

To improve the efficiencies of the Prosecution staff, access to the new imaging system is funded. This system will allow multiple users to simultaneously access single case files, will reduce significant storage and filing problems, and will facilitate case review and preparation functions. Imaging will provide case documents instantaneously, once they have been entered into the system, avoiding the laborious task of filing and re-filing case files.

A CD-ROM research system is another technological improvement that will enhance the Law Department's effectiveness. The system will significantly reduce publication costs and allow downsizing hardcopy legal document storage. The system will allow periodic, electronic updates of library resources. Access to these

research sources will be available from each attorney's desktop.

A significant role of the Law Department is to represent the City in civil legal actions, including labor, franchise utility and environmental disputes and negotiations. Also, Law staff provides legal advice to the City Council and City staff. There are eight attorneys who focus in these areas. Requests are diverse, from drafting and reviewing proposed contracts, resolutions and ordinances, defending the City in tort claims, rendering legal opinions, and assisting with the City's legislative program. Law staff is also called upon to provide legal advice to City departments, boards and officials.

Selected Performance Measures			
	1998	1999	2000
Legal opinions rendered	531	528	528
Revenue bond Issues closed	20	21	21
Contracts reviewed	765	645	645
Hours / Ordinance Reviewed	.85	1.00	1.00
Hours / Contract Reviewed	.52	.53	.53

All claims filed against the City are reviewed and processed by Law staff. This review ascertains the relative merits of the claims, and staff attempts to settle claims when appropriate. Claim costs are funded from the Self-Insurance Fund, a component of the Finance Department.

Law Department Budget Summary					
	1998 Actual	1999 Adopted	1999 Revised	2000 Adopted	2001 Approved
Personal Services	1,319,329	1,315,480	1,388,680	1,417,470	1,438,230
Contractual Services	212,485	204,880	226,700	240,170	240,170
Commodities	6,112	9,020	9,810	9,020	9,020
Capital Outlay	0	0	0	0	0
Other	0	0	0	0	0
Total Law Expenditures	1,537,926	1,529,380	1,625,190	1,666,660	1,687,420
Position Summary					
Total full-time	26	24	25	25	25
Total part-time	2	1	1	1	1
Total FTE	26.50	24.25	25.25	25.25	25.25